

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY A. CHIVIS,

Plaintiff,

v.

Case No. 4:04-CV-120

COMMISSIONER OF SOCIAL
SECURITY,

HON. GORDON J. QUIST

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has before it Plaintiff's objections to the Magistrate Judge's Report and Recommendation issued on July 14, 2005, in which the magistrate judge recommended that the Commissioner's decision denying Plaintiff Social Security disability insurance benefits be affirmed pursuant to 42 U.S.C. § 405(g). The magistrate judge concluded that the ALJ's determination that Plaintiff was not under a "disability" prior to May 18, 2003, was supported by substantial evidence. In particular, the magistrate judge found that the ALJ properly relied upon the opinions of two state agency physicians with respect to Plaintiff's manipulative limitations, that the ALJ's findings regarding Plaintiff's vision limitations were consistent with the opinions of a treating physician and a state agency physician, and that the ALJ's finding that Plaintiff could perform the jobs of collator, sorter/folder, and general office clerk was supported by the vocational expert's testimony. In addition, the magistrate judge found that the ALJ properly determined that Plaintiff had the capacity to perform light work and that the ALJ's hypothetical to the vocational expert accurately reflected the limitations imposed by Plaintiff's impairments. After conducting a de novo review of the report and recommendation, the Court concludes that the report and recommendation should be adopted by the Court.

Objections to a magistrate judge's report and recommendation regarding a case-dispositive motion are governed by W.D. Mich. LCivR 72.3(b). In submitting objections, a "party shall file and serve written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections." W.D. Mich. LCivR 72.3(b). An objection which is not "clear enough to enable the district court to discern those issues that are dispositive and contentious," is insufficient to permit review of the magistrate's report. Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995). Thus, "a general objection to a magistrate's report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed." Id.

Plaintiff's objections fail to specify the portions of the magistrate judge's findings and recommendations that Plaintiff contends are erroneous and should not be adopted. Moreover, Plaintiff does not explain why the magistrate judge's findings and conclusions are erroneous. In fact, it appears to the Court that Plaintiff's objections are simply the same arguments that Plaintiff made to the magistrate judge, but in a slightly different package. As noted, the Court has reviewed the report and recommendation and finds no reason to reject it. Without any specific objection to the report and recommendation by Plaintiff, there is no basis for this Court to conduct further review.

Therefore,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation issued July 14, 2005 (docket no. 12), is **APPROVED AND ADOPTED** as the Opinion of this Court, and the decision of the Commissioner denying benefits to Plaintiff is **AFFIRMED**.

This case is **concluded**.

Dated: October 6, 2005

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE